THE PLAN COMMISSION
CITY of CHETEK

The Plan Commission of the City of Chetek will meet at City Hall 220 Stout Street on Thursday January 18, 2024 at 6:00 p.m. for a regular meeting. A quorum of City Council Members may be in attendance.

Regular Meeting

SCHEDULED ATTENDANCE Matt Shilts, Jerry Ganske, Jeff French

1. Call to order
2. Roll Call
3. Assure compliance with open meeting law
4. Approve minutes of previous meeting

- **Discussion/Action: Jerry Ganske at 531 CTH SS has applied to divide 3.8 acres from a 13 acre parcel under Extraterritorial Plating.**

- **Discussion/Action: Barron County Administrator Jeff French wants to talk to the Plan Commission about Tiny Houses and what other Cities are doing.**

- **Discussion/ Possible Action: Review any progress with the Shoreline Provisions the Commission has been working on.**

Set date and agenda items for February meeting
Adjourn

Hello gang
Included in your packets are some proposed changes to talk about at the upcoming meeting. I took a few topics of discussion from our meetings and tried to answer them the best I could.

1) How will the proposed ordinance affect the lakeshore properties? And who will be mostly affected?
   I calculated the impervious surface on all 138 lakeshore properties in the City. You can see in the packet percentages and impacts on properties on the two pages with key points and what the numbers mean in the packet.

2) What types of buffer zones are allowed and what does a mitigation plan look like?
   I added 'mitigation' to the definitions and I also added a different definition of impervious surface from Tim. There are an array of different practices out there so I narrowed it down to a few for discussion.
   On page 5 of 10 in the proposed ordinance (d) I added a point value with a reference to appendix A that I added at the end of the ordinance. I think the point value and the mitigation options I suggested will help landowners understand and get through the process.
   The links I provided at the end of appendix A are great resources and I also have some great handbooks Tim provided 'The Impact of Impervious Surfaces' and 'Shoreland Mitigation Handbook.
   ' I also have a shoreland mitigation plan worksheet and an impervious surface area calculation worksheet for the applicant.
   This is a lot to look at but hopefully we can have some good discussion. See you on the 18th. Joe

Land Division Application

Applications are due no later than ten (10) days prior to Plan Commission meeting

Applicant Information

Property Owner: Jerry Ganske

Mailing Address: 531 CTH SS New Auburn WI

Phone: 715-642-0915

Email:

Contractor/Agent: Matt Shilts

Mailing Address: 2092 15th Ave Cameron

Phone: 715-651-5476

Email: matt@shiltslandsurveying.com

Surveyor: Matt Shilts

phone: 715-651-5476

Mailing address:

email:

Site Information

Total Acreage: 3.8 size of original parcel 13 Number of Lots 1

Legal Description: Part of the NE-SE Section 5 town of Dove

Zoning district: R1___ R2___ R3___ CBD___ C1___ C2___ C3___ I1___ I2___ A1___ W1___ AP___ PUD___ / **outside city** X

Current use of property: Farm Field

Existing use surrounding property: Residential and Agricultural

Proposed use

Proposing to divide property into 1 lots (indicate number) Average size of lots 3.8

Proposed zoning change: N/A or **Extraterritorial** X

The lots are being created to accommodate: single homes X duplex___ commercial___ industrial ___

Water/Sewer will be supplied by: city service ___ well/septic/holding tank X

Are there separate laterals for each lot? ___yes ___no (parcels cannot share laterals) **not applicable** X

The division of the parcel provides access to an existing public road by: (check one)

X each new division has frontage on an existing public road. Name of road C.T.H. SS

___a new public road, proposed road name:

___a new private road, proposed road name:

___Easements for driveway or ROW purposes:

I attest that the information contained in this application is true and correct to the best of my knowledge.

Property Owner Signature ___ **Date** ___

Agent/Contractor Signature [signature] **Date** 12/22/23

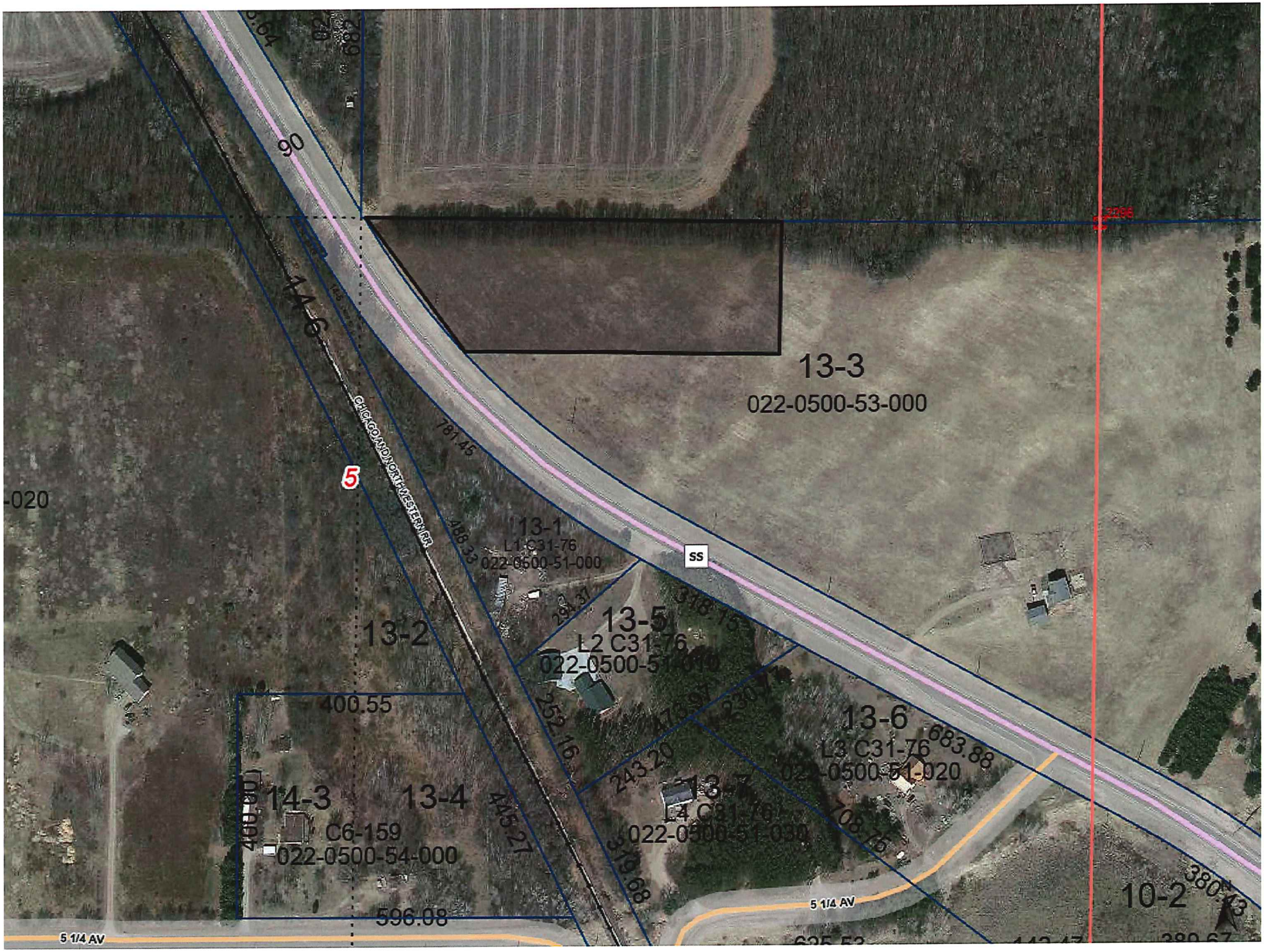
Fee: ___ **date paid** ___

You may either provide a preliminary draft of the proposed plat or use the box below to sketch your proposed preliminary plat.

Make a sketch in the box showing how the new lot(s) fit within the original parcel

PRELIMINARY CHECKLIST FOR ENVIRONMENTAL ASSESSMENT OF PLATS AND LAND DIVISIONS AND COMMUNITY DEVELOPMENT PLANS			
(All yes answers must be explained in detail by attaching maps and supporting documentation describing the impacts of the proposed development).			
I. TOPOGRAPHIC INFORMATION. Does the proposed project involve:			
		Yes	No
A.	Changes in relief and drainage patterns (attach a topographic map showing, at a minimum, two (2) foot contour intervals).		X
B.	A landform or topographic feature of local or regional interest.		X
C.	A floodplain, flood fringe, or floodway (If yes attach two (2) copies of a typical stream valley cross section showing the channel of the stream, the 100 year floodplains limits and the floodway limits (if officially adopted), of each side of the channel and a cross section of area to be developed		X
D.	An area of soil instability - greater than 18% slope and/or organic soils, peaks, or mucks at or near the surface		X
E.	An area with the groundwater table within 10 feet of the soil surface		X
F.	a drainage way for 5 or more acres of land		X
G.	Lot coverage of more than 50% impermeable surfaces		X
H.	Prime agricultural land		X
I.	Wetlands and Marshes		X
J.	Mapped environmental corridors		X
II. WATER RESOURCES. Does the proposed project involve:			
A.	Location within an area traversed by a navigable stream or dry run		X
B.	Greater than 10% change in the capacity of a storm water storage facility or flow of a waterway within 1 mile		X
C.	The use of septic tank-soil absorption fields for on-site waste disposal	X	
D.	Lowering of water table by pumping or drainage		X
E.	Raising of water table by altered drainage patterns		X
F.	Lake frontage		X
III. BIOLOGICAL RESOURCES. Does the project			

involve:			
		Yes	No
A.	Critical habitat for plants and animals of community interest		X
B.	Endangered, unusual or rare species of:		
	1. Land animals		X
	2. Birds		X
	3. Plants		X
C.	Removal of over 25% of the present trees		X
IV. HUMAN AND SCIENTIFIC INTEREST. Does the project site involve:			
A.	An area of archeological interest		X
B.	An area of geological interest		X
C.	An area of hydrological interest		X
D.	An area of historical interest		
	1. Historic buildings or monuments		X
	2. Buildings or monuments of unique architecture		X
E.	An area of identified community recreation use		X
V. ENERGY, TRANSPORTATION AND COMMUNICATIONS			
A.	Does the development increase the traffic flow in any collector system by more than 10%?		X
B.	Is the development traversed by an existing or planned utility corridor (gas, electricity, water, sewer interceptor, communications, storm sewer)?		X
VI. POPULATION.			
A.	Does the development increase by more than 10% the school population of any school serving the development?		X
VII. COMMENTS ON ANY OF THE ABOVE WHICH MAY HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT			
VIII. APPENDICES AND SUPPORTING MATERIAL			



13-3
022-0500-53-000
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14-6
CHICAGO AND NORTHWESTERN RR
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L1 C31-76
022-0500-51-000
488.33
SS
13-5
L2 C31-76
13-2
400.55
252.16
13-6
L3 C31-76
683.88
243.20
14-3
13-4
C6-159
022-0500-54-000
445.27
L4 C31-76
319.68
708.76
5 1/4 AV
596.08
10-2

BARRON COUNTY CERTIFIED SURVEY MAP

A PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 5, T. 32 N., R. 10 W.,
TOWN OF DOVRE, BARRON COUNTY, WISCONSIN.

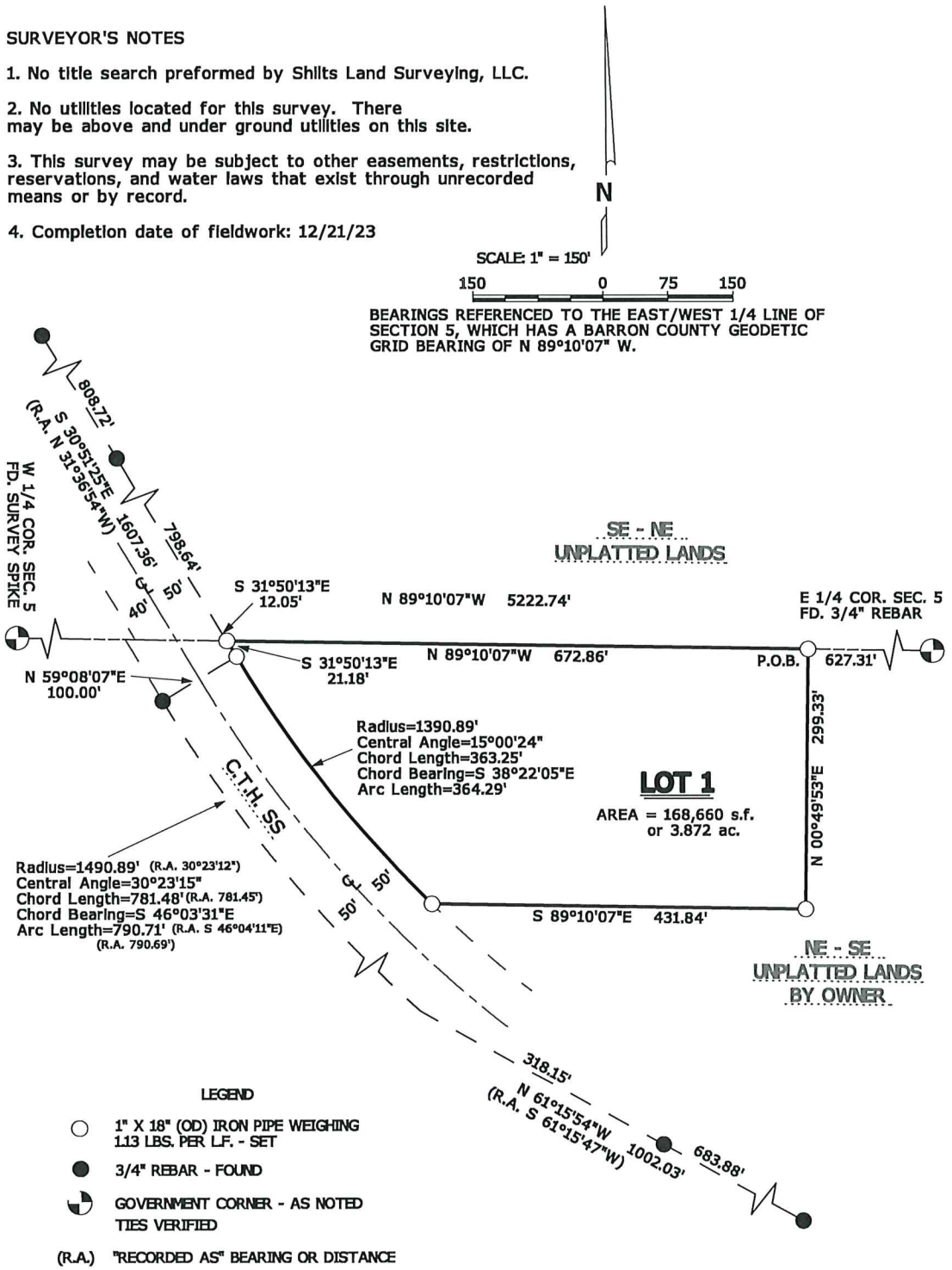
SURVEYOR'S NOTES

1. No title search preformed by Shilts Land Surveying, LLC.

2. No utilities located for this survey. There may be above and under ground utilities on this site.

3. This survey may be subject to other easements, restrictions, reservations, and water laws that exist through unrecorded means or by record.

4. Completion date of fieldwork: 12/21/23



PREPARED FOR:

JERRY GANSKE
531 CTH SS
NEW AUBURN, WI 54757

SHILTS LAND SURVEYING, LLC
2092 15th AVENUE
CAMERON, WI 54822
TELEPHONE 715-651-5476

BARRON COUNTY CERTIFIED SURVEY MAP

A PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 5, T. 32 N., R. 10 W.,
TOWN OF DOVRE, BARRON COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Matthew R. Shilts, professional Wisconsin land surveyor, hereby certify:

That I have surveyed, divided and mapped a parcel of land which is a part of the NE 1/4 of the SE 1/4 of Section 5, T. 32 N., R. 10 W., Town of Dovre, Barron County, Wisconsin, more particularly described as follows:

Commencing at the East 1/4 corner of said Section 5;
thence N 89°10'07"W, 627.31 feet to the Point of Beginning;

thence N 89°10'07"W, 672.86 feet;
thence S 31°50'13"E, 21.18 feet to the start of a curve concave to the northeast having a radius of 1390.89 feet, a central angle of 15°00'24", a long chord bearing of S 38°22'05"E, and a long chord length of 363.25 feet;
thence southeasterly along said curve an arc distance of 364.29 feet;
thence S 89°10'07"E, 431.84 feet;
thence N 00°49'53"E, 299.33 feet to the Point of Beginning.

That I have made this survey, land division and map by the direction of Jerry Ganske.

That such plat is a correct representation of all of the exterior boundaries of the land surveyed and the subdivision thereof made.

That I have fully complied with the provisions of the Barron County Subdivision Ordinances and Chapter 236.34 of the Wisconsin Statutes and Chapter A-E 7 of Wisconsin Administrative Code in surveying, dividing and mapping the same.

_____
Matthew R. Shilts S-2633

BARRON COUNTY ZONING APPROVAL

Resolved, that this land division is hereby approved by the Barron County Zoning Administrator on behalf of the Barron County Zoning Committee.

_____ _____
Zoning Administrator Date

PREPARED FOR:

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531 CTH SS
NEW AUBURN, WI 54757

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CAMERON, WI 54822
TELEPHONE 715-651-5476

Key Points

It appears that under the proposed ordinance 15-30% IS that lots 10,000 sq. ft. and under 32/138 would be the most restricted and require more variances so introducing the "sliding scale" 30-40% IS would make sense.

It also appears that under the proposed ordinance 15-30% IS that lots 10,000 sq. ft. and over would require less variances and more likely to comply so I personally don't see the need for an IS increase or a sliding scale for these lots. Just my opinion.

KEY POINTS

- The Plan Commission questioned what type of impact the proposed ordinance would have on lakeshore properties:

Pretty small impact on lots 10,000 sq. ft. and over 76.8% and a greater impact on lots 10,000 sq. ft. and under 23.1%

- Are existing lots grandfathered in:
  Yes, existing lots are grandfathered in but going forward all new lots and proposed IS work on existing will need to comply.
- Can the proposed ordinance be easily enforced:
  Yes, after reviewing the data it appears that not only can the ordinance be enforced but it will move the City in the right direction for shoreline and lake protection. Laidout in the proper format the public should also be able to understand the ordinance.
- The Plan Commission needs to discuss this in more depth and decide if a change of % is warranted and or if a
  'sliding scale' needs to be introduced.

WHAT THE NUMBERS MEAN

RED

31.2% of the 32 lots under 10,000 sq. ft. would be able to comply with the proposed 15-30% IS requirements without a variance. 10/32

The potential for IS sq. ft. increase for those 10 lots would average 951 sq. ft.

68.7% of the remaining lots would require a variance 22/32 with a cost to the landowner of $300 per variance request.

If the proposed ordinance included a "sliding scale" of 30-40% (Tim's example from Waukesha County)

62.5% of the 32 lots under 10,000 sq. ft. would be able to comply with the IS sliding scale requirements without a variance. 20/32

37.5% of the 32 lots would require a variance. 12/32 The average of potential IS would increase greatly.

BLUE

75.4% of the 53 lots over 10,000 but under 20,000 sq. ft. would be able to comply with the proposed 15-30% IS requirements. 40/53

The potential for IS sq. ft. increase for those 40 lots would average 2547 sq. ft.

24.5% of the remaining lots would require a variance 13/53 with a cost to the landowner of $300 per variance request.

If the proposed ordinance included a "sliding scale" of 30-40% (Tim's example from Waukesha County)

98% of the 53 lots between 10,000 & 20,000 sq. ft. would be able to comply with the IS sliding scale requirements without a variance. 52/53

1.8% of the 53 lots would require a variance. 1/53 The average for potential IS would increase greatly.

GREEN

92.4% of the 53 lots over 20,000 sq. ft. would be able to comply with the proposed 15-30% IS requirements. 49/53

The potential for IS sq. ft. increase for those 49 lots would average 5031 sq. ft.

7.5% of the remaining lots would require a variance 4/53 with a cost to the landowner of $300 per variance request.

If the proposed ordinance included a "sliding scale" of 25-35%(Tim's example from Waukesha County)

96.2% of the 53 lots over 20,000 sq. ft. would be able to comply with the IS sliding scale requirements without a variance. 51/53

3.7% of the 53 lots would require a variance. 2/53 The average for potential IS would increase slightly.

CONCLUSION

138 shoreline lots calculated

106 lots over 10,000 sq. ft.

LOT SQ.FT.	IMPERVIOUS SQ. FT.	IMPERVIOUS %	IMPERVIOUS REMAINING SQ. FT.			
5334	2806	52.6				
6864	2144	31.2				
8037	2502	31.1				
7740	2250	29	100			
9035	5418	59.9				
7956	2699	33.9				
7682	2490	32.4				
7130	348	4.8	1802			
4600	1089	23.6	311			
9060	3854	42.5				
4183	1822	43.5				
4544	2576	56.6				
6745	4820	71.4				
7878	4453	56.5				
8736	1554	17.7	1096			
7303	1466	20	734			
7800	1482	19	918			
7524	1410	18.7	890			
6664	3017	45.2				
6060	2303	38				
6336	2232	35.2				
8686	2275	26.1	375			
7560	2286	30.2				
7776	2010	25.8	340			
8188	5551	67.7				
9416	3560	37.8				
4558	4434	97.2				
9540	3167	33.1				
7315	748	10.2	1452			
6804	3000	44				
9828	4278	43.5	32 lots under 10,000 sq. ft.			
8580	3373	39.3	6.2% fall under the 15%standard	25% fall in to the 15-30% standard		68.7% fall over the 30% standard
11088	680	6.1	2720			
17829	6120	34.3				
14040	3015	21.4	1258			
13725	2232	16.2	1968			

17908	4292		23.9	1208					
17120	1696		9.9	3504					
17829	6120		34.3						
14040	3015		21.4	1285					
10855	2982		23.7	318					
18326	2002		10.9	3498					
10988	2304		20.9	996					
10624	2622		24.6	578					
11375	2102		18.4	1398					
14446	3306		22.8	1094					
13464	1843		13.6	2257					
12880	4227		32.8						
17901	5382		30						
19465	6971		35.8						
19368	2509		12.9	3391					
13250	2516		18.9	1484					
15276	1305		8.5	3295					
17741	5169		29.1	231					
17200	1200		6.9	4000					
16072	4216		26.2	684					
18240	4704		25.7	796					
11956	3379		28.2	221					
17184	2040		11.8	3160					
18432	3611		19.5	1989					
13818	3780		27.3	420					
15876	2303		14.5	2497					
11613	1755		15.1	1745					
13419	3850		28.6	250					
13756	2805		20.3	1395					
10742	4240		39.4						
15552	3720		23.9	980					
13566	5001		36.8						
18172	5970		32.8						
11200	2964		26.4	436					
18042	4074		22.5	1426					
10675	1073		10	2227					
11834	4189		35.3						
13200	2331		17.6	1669					

14400	1877		13		2523				
14400	2778		19.2		1622				
14877	2134		14.3		2466				
10864	4249		39.1						
11220	3835		34.1						
17672	5073		28.7		327				
17727	3835		21.6		1565				
16244	5529		34						
10602	9063		85.4						
12936	500		3.8		3500		53 lots between 10,000 & 20,000 sq. ft.		
10647	3283		30.8	24.5% fall under the 15% standard		50.9% fall in the 15-30% standard			24.5% fall over the 30% standard
24200	5743		23.7		1757				
49848	5943		11.9		9057				
146508	10139		6.9		34861				
23688	7348		31						
53862	5897		10.9		10103				
30084	7296		24.2		1704				
29260	3839		13.1		5161				
23973	4584		19.1		2675				
20768	3657		17.6		2643				
29127	4062		13.9		4938				
25021	4784		19.1		2916				
24009	5934		24.7		1366				
36494	11316		31						
49617	8534		17.1		6466				
34112	5920		17.3		4580				
26790	10187		38						
23634	3685		15.5		3515				
20355	3188		15.6		3012				
20496	5195		25.3		1005				
24975	7626		30						
22066	5580		25.2		1120				
39000	1482		3.8		10518				
32220	5100		15.8		4600				
24824	2406		9.6		5094				
26768	6980		26		1220				
20806	2208		10.6		4092				
35084	5463		15.5		5237				

51513	9595		18.6		5905				
34188	10280		30						
36462	6830		18.7		4170				
20064	3120		15.5		2980				
20909	3036		14.5		3264				
48263	6660		13.7		7840				
46046	4711		10.2						
28227	10516		37.2						
28324	8320		29.3		180				
26928	4578		17		3622				
20007	4371		21.8		1729				
22995	3034		13.1		4066				
28689	3682		12.8		5018				
27450	900		3.2		7400				
20706	5230		25.2		1070				
21659	1875		8.6		4625				
47808	3282		6.8		11218				
40222	2108		5.2		10092				
46050	3600		7.8		10400				
39712	5992		15		6008				
35558	4159		11.6		6841				
34671	1924		5.5		8576				
24200	6030		24.9		1470				
15093	3456		22.8		1144				
13330	3776		28.3		224		53 lots over 20,000 sq. ft.		
36176	2704		7.4		8296				
				39.6% fall under the 15% standard		52.8% fall into the 15-30% standard		7.5% fall over the 30% standard	

ARTICLE XI. SHORELINE PROVISIONS (DRAFT) Revision Date: November 13, 2023

Sec. 118-314. Purpose of shoreline regulations.

This article is established to further the maintenance of safe and healthful conditions, prevent and control water pollution, protect fish and aquatic life by controlling building sites, the placement of structures and land uses, and reserving shore cover and natural beauty for all waterfront and shoreland development. For the purposes of this article, the provisions shall apply to all shoreline property located in the City, including any land legally annexed by the City.

(Code 2005, § 13-1-160)

Sec. 118-315. Definitions.

In addition to the definitions listed in Article I of this chapter, for the purposes of this article the following terms shall have the meaning stated below:

Boathouse means any structure designed solely for the purpose of protecting or storing boats for noncommercial purposes.

Development means any man made change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or substantial alterations to buildings, structures or accessory structures.

Impervious Services means an area that releases as runoff all or a large portion of the precipitation that falls on it. Rooftops, sidewalks, driveways, gravel or paved parking lots, and streets are examples of surfaces that typically are impervious. Gravel driveways surfaces are considered impervious, unless specifically designed, constructed, and maintained to encourage infiltration.

Mitigation means balancing measures that are designed, implemented and function to restore natural functions and values that are otherwise lost through development and human activities.

Ordinary high-water mark means the point of the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark, such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation or other easily recognized characteristics.

Rear lot line means the ordinary high-water mark.

Rear yard shall be the yard extending the full width of the lot between the ordinary high-water mark to the nearest part of the principal building.

Retaining Wall means a wall or barrier constructed to hold back earth or water.

Routine Maintenance of Vegetation means normally accepted horticultural practices that do not result in the loss of any layer of existing vegetation and do not require earth disturbance.

Vegetation means any organic material that originates from the plant kingdom, including but not limited to trees, shrubs, grasses, flowers, fruits, leaves, stems, and roots. Plant matter may be in a living or non-living state and encompasses both natural and cultivated vegetation. is further inclusive of all plant-related products, including mulch, compost, and soil amendments when intended for use in landscaping, gardening, or horticultural activities.

Vegetative Buffer Zone means an area of undisturbed or restored native vegetation that provides natural shoreline features and functions for fish and wildlife habitat, water quality protection, and natural scenic beauty. This includes the area 35 feet inland from the ordinary high-water mark.

(Code 2005, § 13-1-161)

Sec. 118-316. Dimensions of shoreline property building sites.

(a) *Lots not served by public sanitary sewer.* Dimensions of shoreline property building sites not served by the public sanitary sewer are as follows:

(1) *Lot size.*

a. *Minimum lot area.* The minimum lot area shall be 20,000 square feet.

b. *Minimum lot width.* The minimum average lot width shall be 100 feet with at least 100 feet of frontage at the water's edge.

(2) *Yards.*

a. *Front yard setback.* Dimensional requirements for the front yard setback shall be the same as those required by the underlying zoning district in which the lot is located.

b. *Side yard setback.* Dimensional requirements for the side yard setback shall be the same as those required by the underlying zoning district in which the lot is located.

c. Setback from the water (OHWM) 50 feet to the nearest part of a building or structure.

d. Exempt Structures All of the following non-dwelling structures are exempt from the shoreland setback standards: boathouses, open sided and screened structures such as gazebos, decks, patios and screen houses under the following restrictions: all structures are located a minimum of 35 feet from the OHWM, the floor area of the structure will not exceed 400 sq. feet, wall height shall not exceed 8 feet and the structure has open sides or screen sides.

e. Existing Exempt Structures existing exempt structures may be maintained , repaired, restored, rebuilt and remodeled provided the activity does not expand the footprint and does not go beyond the three-dimensional building envelope of the existing structure. Structures shall also be subject to floodplain provisions.

(b) *Lots served by public sanitary sewer.* Dimensions of shoreline property building sites served by the public sanitary sewer are as follows:

(1) *Lot size; minimum lot area and width.* Dimensional requirements shall be the same as those required by the underlying zoning district in which the lot is located.

(2) *Yards; front and side yard setbacks.* Dimensional requirements shall be the same as those required by the underlying zoning district in which the lot is located.

(3) Setback from the water (OHWM) 50 feet to the nearest part of a building or structure.

(4) Exempt Structures All of the following structures are exempt from the shoreland setback standards: boathouses, open sided and screened structures such as gazebos, decks, patios and screen houses under the following restrictions: all structures are located a minimum of 35 feet from the OHWM, the floor area of the structure will not exceed 400 sq. feet, wall height shall not exceed 8 feet and the structure has open sides or screen sides. Structures shall also be subject to floodplain provisions.

(5) Existing Exempt Structures existing exempt structures may be maintained , repaired, restored, rebuilt and remodeled provided the activity does not expand the footprint and does not go beyond the three-dimensional building envelope of the existing structure.

(Code 2005, § 13-1-162)

Sec. 118-317. Substandard shoreline lots.

(a) *Lots not served by public sanitary sewer.* A substandard lot that does not meet all the requirements found in Section 118-316(a) may be used as a building site upon issuance of all required permits as provided for in the City ordinances governing land use and development, if it meets all of the following requirements:

(1) Such use is permitted in the zoning district.

(2) The lot was on record in the County Register of Deeds' Office prior to the original effective date of the ordinance from which this section is derived.

(3) The lot was in separate ownership from abutting lands prior to the original effective date of the ordinance from which this section is derived. If abutting land and the substandard lot were owned by the same owner as of the original effective date of the ordinance from which this section is derived, the substandard lot shall not be sold or used without full compliance with the terms of this article, including the minimum area and width requirements found in Section 118-316(a).

(4) All the dimensional requirements of this article (including side yard and setback requirements) will be complied with insofar as practical.

(b) *Lots served by public sanitary sewer.* A substandard lot served by a public sanitary sewer that does not contain sufficient area to conform to the dimensional requirements of the underlying zoning district in which it is located may be used as a building site upon issuance of a building permit by the Administrator, if it meets the requirements found in Sec. 118-318

(c) *Other substandard lots.* Except for lots which meet the requirements of Subsections (a) of this section, a building permit for the improvement of a lot having lesser dimensions than those stated in Section 118-316 shall be issued only after granting of a variance by the Board of Appeals.

(Code 2005, § 13-1-163)

Sec. 118-318. Setbacks from the water.

(a) *Septic tanks, seepage pits and soil absorption melds.* Septic tanks, seepage pits and soil absorption fields shall be set back at least 75 feet from the ordinary high-water mark and governed by Barron County Zoning.

(b) *Lots that are on navigable waters served and not served by public sanitary sewer.* All buildings and structures, except piers, boat hoists and boathouses which may require a lesser setback, shall be set back at least 50 feet from the ordinary high-water mark unless otherwise permitted in section 118-316 (2) (d) and (e) exceptions. Lesser setbacks may be granted by the Board of Appeals.

(c) *Boathouses.* Boathouses shall not extend below the ordinary high-water mark and shall be designed solely for boat storage and storage of related equipment and shall not be used for human habitation. The highest point of the roof elevation of the boathouse shall not be more than ten feet vertical measurement above the ordinary high-water mark. Railings may be placed on top of the boathouse in excess of the ten-foot height standard provided the railing is not solid in appearance and not greater than 3.5 feet in height. Boathouses shall not be established where the existing slope is more than 50 percent. Excavation of the bank for purposes of creating a channel under a boathouse is prohibited.

(Code 2005, § 13-1-164)

Sec. 118-319. Reduced building setbacks.

Sec. 118-319. Reduced Building Setbacks.
A setback of less than that required by Section 118-318 may be permitted by the Board of Appeals according to Article XIV of this chapter. In no case shall the requirements of Section 118-318(a) regarding septic tanks, seepage pits and soil absorption melds be less than 75 feet as stated.

Sec. 118-320. - Provisions of Interpretation.

(a) *Navigability.* The provisions of this section apply to the shorelands of all navigable waters, as "navigable waters" is defined in Wis. Stats. § 281.31.

(b) *Administrative and enforcement officer.* The Zoning Administrator shall be responsible for determining questions of navigability and the location of the ordinary high-water mark. In the case of lakes which have a significantly fluctuating water level, the normal high water elevation shall be determined by the Administrator at the highest level which occurs with reasonable regularity. The Administrator may contact the appropriate district offices of the Department of Natural Resources for assistance when the determination of navigability of the ordinary high-water mark is difficult. Determinations of the Administrator shall be subject to appeal to the Board of Appeals as provided in Article XIV of this chapter.

Sec. 118-321. Retaining Walls.

All retaining walls constructed on shoreland property shall be constructed and maintained in a manner as to not have any adverse or negative effect on the water or shoreline and shall follow the following provisions:

1) All retaining walls require approval and a permit from the Zoning Administrator.
2) Retaining structures shall be located no closer than 35 feet from the OHWM.
3) Walls shall be constructed of rock, concrete or other approved non-degradable material. Cresol wood is prohibited.
4) Areas above and below the wall shall comply with the provision of Sec. 118-322 and 118-323.
5) Any other retaining walls may be permitted by the Board of Appeals per XIV of this chapter.

Sec. 118-322. Impervious Surface Standards.

(a) PURPOSE. Establish impervious surface standards to protect water quality and fish and wildlife habitat and to protect against pollution of navigable waters. Impervious surface standards apply to the construction, reconstruction, expansion, replacement or relocation of any impervious surface on a riparian lot or parcel and any non riparian lot or parcel that is located within 200 feet of high-water mark of any navigable waterway. Impervious surfaces shall not be located within the vegetation buffer zone.

(b) CALCULATION OF PERCENTAGE OF IMPERVIOUS SURFACE. Percentage of impervious surface shall be calculated by dividing the surface area of the existing and proposed impervious surfaces on the portion of a lot or parcel that is within 200 feet of the ordinary high-water mark by the total surface area of that lot and multiplied by 100. Impervious surfaces described in (e) shall be excluded from the calculation of impervious surfaces on the lot or parcel.

(c) GENERAL IMPERVIOUS SURFACE STANDARD. Up to 15% impervious surface is allowed on the portion of a lot or parcel that is within 200 feet of the ordinary high-water mark, except as allowed in (d) through (f).

(d) MAXIMUM IMPERVIOUS SURFACE. A property may contain impervious surface of more than 15% but not more than 30% on the portion of a lot or parcel that is within 200 feet of the ordinary high-water mark provided the landowner develops a mitigation plan. that values a minimum of 3 points. See Appendix A for mitigation options.

(e) TREATED IMPERVIOUS SURFACES. Impervious surfaces that can be documented to show they meet either of the following standards shall be excluded from the impervious surface calculations under section (b).

1. The impervious surface is treated by devices such as stormwater ponds, constructed wetlands, infiltration basins, rain gardens, bio-swales or other engineered systems.

2. The runoff from the impervious surface discharges to an internally drained pervious area that retains the runoff on or off the parcel and allows infiltration into the soil.

(f) EXISTING IMPERVIOUS SURFACES. For existing impervious surfaces which were lawfully placed when constructed but that do not comply with the impervious surface standard in (c) the property owner may do any of the following:

1. Maintain and repair the existing impervious surfaces.

2. Replace existing impervious surfaces with similar surfaces within the existing footprint.

3. Relocate or modify an existing impervious surface with similar or different impervious surface, provided that the relocation or modification does not result in an increase in the percentage of any impervious surface that existed on the effective date of this ordinance, and the impervious surface meets the applicable setback requirements.

Sec.118-323 Vegetation Buffer Zone

(a) PURPOSE. To protect natural scenic beauty, fish and wildlife habitat, and water quality, the City of Chetek shall regulate the removal of vegetation in shoreland areas and shall establish ordinance standards that consider sound forestry and soil conservation practices and the effect of vegetation removal on water quality, including soil erosion and the flow of effluents, sediments and nutrients.

(b) ESTABLISHMENT OF A VEGETATIVE BUFFER ZONE. To protect water quality, fish and wildlife habitat, natural scenic beauty, and to promote preservation and restoration of native vegetation, a vegetative buffer zone has been designated extending inland 35 feet from the ordinary high water mark, prohibiting removal of vegetation in the vegetative buffer zone except as follows:

1. Routine maintenance of vegetation as defined in 118-315

2. The removal of exotic or invasive species, damaged vegetation, vegetation that must be removed to control disease, or vegetation creating an imminent safety hazard, provided that any vegetation removed is replaced by replanting in the same area as soon as practicable.

3. The Zoning Administrator, by permit, may allow additional vegetation management activities in the vegetative buffer zone. The permit issued shall require that all management activities comply with detailed plans approved by the City and designed to control erosion by limiting sedimentation into the waterbody, improve the plant community by replanting in the same area, and maintain and monitor the newly restored area. The permit also shall require an enforceable restriction to preserve the newly restored area.

APPENDIX A: MITIGATIONS OPTIONS

Below is a catalog of the mitigation practices, and their point values, that are available for completing a Shoreland Mitigation Plan. 3 points are required to satisfy a Shoreland Mitigation Plan. A brief explanation of these options can be found on the pages below. More detailed information with diagrams and photos can be found in the Shoreland Mitigation Handbook which is available at the City of Chetek Zoning Office.

MITIGATION OPTION CATALOG (3 points required)

Type of Mitigation Practice	Number of Points
(1) Preserve or restore a vegetative buffer zone that extends 35 feet landward from the ordinary high water mark (OHWM). (Must be native plants)	2 Points
(2) Preserve or restore a vegetative buffer zone that extends 50 feet landward from the OHWM. (Must be native plants)	3 Points
(3) Viewing and Access Corridor width of 15 feet or less	1 Points
(4) Install a rock infiltration trench or pit	Up to 3 Points
(5) Install a rain garden with native plantings, or similar feature	Up to 3 Points
(6) Preserve or restore both shoreland side yard areas with native plants	1 Point
(7) Remove or relocate a building or impervious structure, which is located within the shoreland setback, to a compliant location.	1 Point for each structure

EXPLANATION OF MITIGATION OPTIONS

Note: All Mitigation Plans must contain a written portion and site plan which provides all pertinent details to show that these mitigation options meet the necessary criteria for earning the proposed mitigation points.

(1) Preserve or restore a vegetative buffer zone that extends 35 feet landward from the ordinary high water mark (OHWM). (Must be native plants) 2 points

A vegetative buffer zone is an area that extends landward from the OHWM of a waterbody a specified distance (35 feet in this case) and extends the entire width of the lot, with the exception of the viewing and access corridor that passes through the buffer to the waterbody. An intact vegetative buffer zone has many functions and provides many benefits for the health of the nearby waterbody and for users of those water bodies. Some of the functions and benefits of the buffer zone are cleaning/filtration of stormwater runoff carrying pollutants which flow downhill towards the waterbody, providing near-shore habitat for wildlife, and creating natural screening between the waterbody and structures on the lot. In this part of Wisconsin, the vegetative buffer zone must be densely covered with the 3 layers of vegetation which is comprised of plants that are native to Wisconsin, and should be void of non-native/invasive species. The 3 layers of vegetation that must make up the buffer are a tree canopy layer, shrub (or tree seedling/sapling) layer, and a ground cover (i.e. grasses,forbs and ferns) layer. In order to receive 2 mitigation points, an existing compliant buffer can be preserved, or if there is not a compliant buffer on the lot currently, it can be restored/replanted. When determining if an existing buffer is sufficient or when restoring/replanting a vegetative buffer, it shall be in accordance with the standards contained in the USDA – Natural Resource Conservation Service (NRCS) guidance document Wisconsin Biology Technical Note # 1 – Shoreland Habitat. In general, the vegetation within the buffer zone must be left untouched, with the exception of certain removal and maintenance situations as established.

(2) Preserve or restore a vegetative buffer zone that extends 50 feet landward from the OHWM. (Must be native plants) 3 points

The vegetative buffer zone follows the same standards as mentioned in Option # 2 above, except 3 points can be earned rather than 2 if the buffer extends 50 feet or more landward from the OHWM.

(3) Viewing and Access Corridor width of 15 feet or less. 1 point

Each lot is allowed to have a viewing and access corridor that passes through the vegetative buffer zone. Unlike in the vegetative buffer zone, more vegetation removal is allowed within the viewing and access corridor. The purpose of the corridor is to concentrate human activity such as pedestrian traffic within one area, which can involve construction of a stairway or walkway if necessary for gaining access to the waterbody and also to allow a filtered view of the

waterbody. The standard width that a viewing and access corridor can be is 35% of the width of lot/water frontage. In order to earn 1 mitigation point, the viewing and access corridor must be 15 feet or less in width and the lot must have a vegetative buffer zone that extends at least 15 feet landward from the OHWM of the waterbody. Having a narrower viewing corridor means the vegetative buffer zone is larger, which provides for even more effective filtration of stormwater runoff moving downhill towards the waterbody, more near-shore habitat for wildlife, and natural screening between the structures on the lot and the waterbody. An existing 15 foot wide viewing corridor can be preserved, or a wider corridor can be reduced down to 15 feet by restoring/replanting the necessary area of vegetative buffer.

(4) Install a rock-filled infiltration trench or pit. Up to 3 points

Digging, installing, and maintaining a rock-filled infiltration trench or pit is an effective way to capture stormwater runoff carrying pollutants and allows the water to filter through the soil and recharge the groundwater. Capturing the stormwater in an infiltration device lessens the amount of polluted runoff that would otherwise flow across the land downhill and enter the nearby waterbody, which has negative impacts on water quality. The sizing, location, materials, and other specifications for a rock infiltration trench or pit shall follow design standards. If the infiltration device is designed to treat at least the amount of impervious surface area that is being added in the proposed construction project, 3 mitigation points can be earned. In cases where the proposed construction project involves less than 200 square feet of additional impervious surface, the infiltration device must be sized and designed to treat at least 200 square feet of impervious area, which will earn 3 mitigation points.

(5) Install a rain garden with native plantings, or similar features. Up to 3 points

Digging, installing, and maintaining a rain garden is an effective way to capture stormwater runoff carrying pollutants and allows the water to filter through the soil and plant roots which then recharges the groundwater. Capturing the stormwater in a rain garden lessens the amount of polluted runoff that would otherwise flow across the land downhill and enter the nearby waterbody, which has negative impacts on water quality. A rain garden is a shallow depression in a yard area that has a flat bottom, which is designed to have stormwater from an impervious surface directed towards it, and is planted with native plants. Native plants have much deeper roots than lawn grass, which provides for much more effective filtration of pollutants and higher capacity for water absorption. Native plantings also provide habitat for many types of birds and butterflies. The sizing, location, materials, and other specifications for a rain garden shall follow design standards. If the rain garden is designed to treat at least the amount of impervious surface area that is being added in the proposed construction project, 3 mitigation points can be earned. In cases where the proposed construction project involves less than 200 square feet of additional impervious surface, the rain garden must be sized and designed to treat at least 200 square feet of impervious area, which will earn 3 mitigation points

(6) Preserve or restore both shoreland side yard areas with native plants. 1 point

The shoreland side yard areas extend 10 feet into the lot and run along each side lot line. There are 2 sideyards on a typical lot. For the purposes of this mitigation practice, a shoreland side yard area is 10 feet in width and the depth starts at a point 35 feet landward from the ordinary high water mark (OHWM) of the waterbody and extends to a point 75 feet from the OHWM, which runs parallel to the side lot line. Whether it is restoring or just preserving, a shoreland side yard vegetation buffer can slow down stormwater and filter out pollutants that are carried in the stormwater after a rainfall and allow it to seep into the ground, rather than flowing over the land and into the nearby waterbody. In order to receive 1 mitigation point, an existing compliant buffer can be preserved, or if there is not a compliant buffer on the lot currently, it can be restored/replanted. When determining if an existing buffer is sufficient or when restoring/replanting a vegetative buffer, it shall be in accordance with the standards. In general, the vegetation within the buffer must be left untouched, with the exception of routine maintenance and removal of invasive/non-native species, diseased vegetation, vegetation causing an imminent safety hazard, provided that any vegetation removed is replaced by replanting in the same area as soon as practicable.

(7) Remove or relocate a building or impervious structure, which is located within the shoreland setback, to a compliant location. 1 point for each structure

Removing a structure from the shoreland setback area (within 75 feet of the ordinary high water mark of a waterbody) is a good way to restore the natural scenic beauty of the shoreland area and reduce the amount of impervious surfaces in close proximity to the waterbody. Buildings and other impervious surfaces located near the waterbody means there is little or no vegetative buffer to filter out pollutants that are carried in the stormwater runoff coming from those impervious surface before entering the waterbody. 1 mitigation point will be earned for each building or other impervious surface that is removed/relocated out of the shoreland setback area. Zoning staff will determine whether the building or surface qualifies for receiving mitigation points for its removal/relocation. The footprint area of the building or surface must be restored, revegetated, and stabilized appropriately after removal. Additional requirements include:

(a) Structures removed/relocated from the vegetative buffer zone (within 35 feet of the OHWM and outside the allowable viewing corridor).

1. The footprint location shall be restored and revegetated with native plantings and a plan for such restoration shall be created following the standards.

2. A site plan shall be drawn which depicts the current location of the structure including measurements from the OHWM, lot lines, septic system, roadways, etc.

(b) Structures being relocated.

1. The relocated structure shall comply with all size, density, location, and use standards of the City of Chetek Ordinance.

2. A site plan shall be drawn which depicts the current and new location of the structure including measurements from the OHWM, lot lines, septic system, roadways, etc.

3. All necessary Land Use Permits must be obtained prior to relocation.

Resource Links and Best Management Practices

- Website link to Wisconsin Biology Technical Note # 1 – Shoreland Habitat: https://dnr.wi.gov/topic/ShorelandZoning/documents/NRCSBioTechNote.pdf

– Natural Resource Conservation Service (NRCS) guidance documenthttp://dnr.wi.gov/topic/ShorelandZoning/documents/NRCSBioTechNote.pdf

- Website links to Rain Gardens: A Guide for Homeowners & Landscapers:https://dnr.wi.gov/topic/Stormwater/documents/RainGardenManualPrint.pdf

http://www.burnettcounty.com/DocumentCenter/Home/View/119

Impervious Surfaces:
http://www3.uwsp.edu/cnr-ap/clue/Documents/Water/ImperviousSurfaces2023.pdf

WDNR Mitigation Measures:http://dnr.wisconsin.gov/sites/default/files/topics/ShorelandZoning/MitigationRecommendations.pdf

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